

Minutes from the City Council Meeting on Tuesday December 3, 2019 at 7:15 pm in the RiverMills Senior Center, 5 West Main Street are as follows:

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Vieau, John L.	Ward 3 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Present
Tillotson, James K.	At-Large Councilor	Present
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Brooks, Shane D.	Ward 2 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Absent
Labrie, Gary R.	Ward 8 Councilor	Present
Walczak, Stan	Ward 9 Councilor	Present

CITY COUNCIL
CHICOPEE MA

Public Input—Derek Dobosz, Post Road, Ward 6 Councilor, about the late plowing. DPW is planning accordingly, be patient with the city. Roland Archambault has stage 3 lung cancer, recognize the time and dedication to the ZBA, good friend and mentor.

--Motion made by Councilor Zygarowski to accept the Regular Meeting and Special Meeting minutes of September 19, 2019.

MO-1 Mayors appropriation of One million two hundred ninety six thousand and 00/100 dollars (\$1,296,000.00) to the following named account: D.P.W. Highway Special Account for Burnett Rd & First Ave Infrastructure Improvements Project from available funds in the Undesignated Fund Balance "Free Cash" Account and will be reimbursed from the Executive Office of Economic Development Grant.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated this is a grant from the housing & economical development. Need to spend the money then get reimbursed. Councilor Dobosz stated this is a homerun for the ward, no cost to taxpayers. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

MO-2 Mayors appropriation of Two hundred fifty six thousand eight hundred and 00/100 dollars (\$256,800.00) to the following named account: Planning Special Account for Front Street Parking Lot Demo from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated money to demolish the building next to City Hall for a parking lot. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

MO-3 Mayors appropriation of Forty five thousand eight hundred fifteen and 00/100 dollars (\$45,815.00) to the following named account: Planning Special Account for RiverMills

Senior Center Landscape Management Plan from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated the senior center landscape management plan. This is a three year plan, create maintenance plan for the grounds. Councilor Tillotson stated experience with flowers and the building has not been good. New plants replaced in the picnic grove was an expensive project. Grant is seed money then we have to pay the person. Interesting to see how this materializes, hope it works. The heating system is still not right, still trying to balance the building heat wise. Councilor Balakier is hopeful, we have to try something. Looks like Lee put a lot of thought into this. Something is better than nothing. Councilor Walczak stated it is a beautiful facility. Landscaping doesn't match the beautification. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-4 Mayors appropriation of Forty thousand and 00/100 dollars (\$40,000.00) to the following named account: D.P.W. Wastewater Special Account for Old Fuller Road Extension from available funds in the Sewer Surplus Account.

--Motion made by Councilor Balakier to receive and pass. Councilor Balakier stated regarding agreement between Chicopee and Ludlow, Bluebird acres. Cady Street was just repaved, we are paying part of the cost. Fulfill obligations. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-5 Mayors appropriation of Thirty four thousand and 00/100 dollars (\$34,000.00) to the following named account: D.P.W. Sanitation Special Account for Purchase of Vehicles from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated for the purchase of a pickup truck for sanitation. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-6 Mayors appropriation of Thirty thousand seven hundred eighty one and 85/100 dollars (\$30,781.85) to the following named account: School Special Account for Purchase of Vehicle from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated vehicle for three new craftsmen, combined resources between the School and the City. Electrician and HVAC employees need the vehicle to get to the jobs. On the lot, ready to go. Councilor Laflamme stated this is important because there will be an electrician & HVAC guy working together on the A/C in the schools. Equipment will be locked up in the truck. Will protect the equipment, have tools to do the project. Councilor Tillotson stated this is a new adventure combining the departments. Shows both are committed to this, anticipate much savings, the old system, waited too long. Councilor Walczak stated glad to be able to take care of other departments. Saving money with skilled technicians. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-7 Mayors appropriation of Eleven thousand five hundred and 00/100 dollars (\$11,500.00) to the following named account: Planning Expense Account for Special Services from available funds in the Undesignated Fund Balance "Free Cash" Account and will be reimbursed from the Bemis Pond S. 319 Nonpoint Source Grant.

--Motion made by Councilor Walczak to receive and pass. Councilor Walczak stated this is a reimbursable grant from the state in cooperation with PVPC. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-8 Mayors appropriation of Two thousand sixty nine and 72/100 dollars (\$2,069.72) to the following named account: Auditing Salary Account for Auditor from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Brooks to receive and pass. Councilor Brooks stated goes into effect with the new contract 2% increase. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-9 BE IT ORDERED that the City Council, in accordance with the authority of the provisions of Chapter 40, Section 14, Chapter 79 and Chapter 83, as amended, and of every other power and authority which is hereunto in any way enabling does hereby authorize a taking of permanent fee interest in a parcel of land in said city described in Exhibit A. The parcel is also shown in more detail on a plan entitled "Chicopee Flood Control Works South Bank Chicopee River System" surveyed for the City of Chicopee by Heritage Surveys, Inc. and dated November 1, 2019 and recorded in Hampden County Registry of Deeds, Plan Book 387, Page 109 which is attached hereto as "Addendum A."

This eminent domain taking is for highway purposes and for the purpose of repairing, replacing, altering, reconstructing, installing municipal utilities and maintaining Chicopee Flood Control Works South Bank Chicopee River System and its appurtenances.

No betterments are to be assessed under this taking.

--Motion made by Councilor Krampits to receive, pass and the authorization granted this evening. Councilor Krampits stated it's the south bank of the Chicopee river. Councilor Tillotson stated it's a good deal, its time to take this little piece of land. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-10 BE IT ORDERED that the City of Chicopee pursuant to Chapter 28, Section 9 of the City Charter and every other enabling power thereto hereby orders that the real property know as 31 Springfield Street, Chicopee, Hampden County, Massachusetts commonly referred to as the Old City Library be declared surplus for the purpose of authorizing the City of Chicopee to execute a long term lease agreement with a tenant selected by the City pursuant to a request for proposal issued in connection with said real property.

--Motion made by Councilor Roy to receive and pass. Councilor Roy stated the old city library to be declared surplus property. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- MO-11 BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Add Chapter 277.

Please see Exhibit A attached hereto and incorporated herein.

--Motion made by Councilor McAuliffe to receive, 1st reading and refer to the Ordinance Committee. Councilor McAuliffe stated technical, relating to the wireless technology affixed to public utility poles. New 5G. Councilor Tillotson stated wonder if this will compete with broadband. Motion passed, referred. Councilor Courchesne absent.

- 12 A favorable License Committee report, an application for a Class II License for EDW Auto, Inc., d/b/a Fairview Service Center located at 1492 Memorial Drive. Applied for by: Evan D. Whiting, 1700 Westover Road, Chicopee, MA 01020.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record. Motion passed. Councilor Courchesne absent.

- 13 A favorable License Committee report, an application for an Auto Repair License for EDW Auto, Inc. d/b/a Fairview Service Center located at 1492 Memorial Drive. Applied for by: Evan D. Whiting, 1700 Westover Road, Chicopee, MA 01020.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record. Motion passed. Councilor Courchesne absent.

- 14 A favorable License Committee report, an application for an Auto Detailing License for EDW Auto, Inc. d/b/a Fairview Service Center located at 1492 Memorial Drive. Applied for by: Evan D. Whiting, 1700 Westover Road, Chicopee, MA 01020.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak read the restrictions into the record, same as previous licenses. Motion passed. Councilor Courchesne absent.

- 15 A favorable License Committee report, BE IT ORDERED that Unique Motors, Inc., 1021 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Unique Motors Inc., including compliance with restrictions imposed upon any licenses held by Unique Motors, Inc. The Council may modify, suspend, fine or revoke any licenses held by Unique Motors, Inc. Violation – too many vehicles on property.

--Motion made by Councilor Walczak to receive and the license placed on file and continue the license. Councilor Walczak stated came to the attention there were too many cars for sale. Motion passed. Councilor Courchesne absent.

- 16 A favorable License Committee report, an application for a License to drive a taxicab for A & Z Transportation. Applied for by: Zaheer A. Shaikh, 25 Lorraine Street, Chicopee, MA 01013.

--Motion made by Councilor Walczak to receive and the license granted with restrictions. Councilor Walczak stated he is a qualified gentleman. Motion passed. Councilor Courchesne absent.

- 17 An Ordinance Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Delete Chapter 144-1 Definitions

Kennel

~~Any premises wherein any person, partnership or corporation engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling dogs, or engages in training dogs for guard or sentry purposes or every pack or collection of more than three dogs three months old or over owned or kept on a single premises, irrespective of the purpose for which they are maintained.~~

And insert in place thereof

Kennel

Any premises wherein any person, partnership or corporation engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling dogs, or engages in training dogs for guard or sentry purposes or every pack or collection of more than three dogs or six cats three months old or older owned or kept on a single premises, irrespective of the purpose for which they are maintained.

--Motion made by Councilor Tillotson to receive and postponed to the call of the chair. Councilor Tillotson stated coming to the end of the cycle. Issue will have to be re-applied in the new year. Issues, the Clerk was not excited to issue licenses for cats. Few have extensive amounts of cats, think were on the right road working with TJO. Hopefully this will work. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

18 An Ordinance Committee report, Chapter 7 Ordinance Revisions

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Tillotson stated adjustments for minimum wage. Mostly part time/seasonal. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

19 An Ordinance Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Add

Chapter 188-15.1 Definitions

As used in the chapter the following term shall have the meaning as indicated.

JUNK VEHICLE – Any motor vehicle which satisfies one or more of the following criteria:

- (a) That is partially dismantled or wrecked;
- (b) The is not operable;
- (c) That could not be safely or legally operated on a highway;
- (d) That has become a habitat for rodents, vermin and insects;
- (e) That in any other way constitutes a threat to public health, safety and welfare; or
- (f) That has not been moved for a continuous period of more than 45 days.

--Motion made by Councilor Tillotson for a 2nd and final reading, enrolled and ordained. Councilor Tillotson stated on the recommendation of the License Committee, delete one will help clarify what a junk vehicle is. Councilor Dobosz stated to clarify for a license holder. Needed a legal definition, quality of life issue. Councilor Walczak thanked the committee and Attorney Garvey. Different opinion on what a junk vehicle is. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- 20 An Ordinance Committee report, BE IT ORDAINED that the Chicopee City Council does hereby amend Chapter 260, Section 29 – “Severe Weather Parking Regulations” as follows:

ADD:

Chapter 260, Section 1: Definitions

--Motion made by Councilor Tillotson for a second and final reading, enrolled and ordained, delete any amendment to Ch. 260, Sec 29 B, Section 1 definition, 29F. Councilor Tillotson stated ironic after two snow storms, will have to be used in certain areas of the city. Intent is for narrow streets. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- 21 An Ordinance Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Add to Chapter 169 Section 13

H.

Trash/Recycling/Yard Waste container/totes must be removed from the street/tree belt by midnight the day after scheduled pick up.

--Motion made by Councilor Tillotson to receive and place on file. Councilor Tillotson stated already done. Motion passed. Councilor Courchesne absent.

- 22 An Ordinance Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Chapter 169-40 Maintenance; violations and penalties; enforcement

Delete 169-40 F

And insert in place thereof

F.

Enforceable by the Chicopee Police Department, Chicopee Building Department, Chicopee Health Department or the Superintendent of Public Works or any of their designee(s). Any person or entity who fails to comply with any portion of this article shall be fined \$25 per day. A person or entity commits a separate offense for each and every day a violation continues.

--Motion made by Councilor Tillotson to receive and returned to the file. Motion passed.
Councilor Courchesne absent.

- 23 An Ordinance Committee report, BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Add Chapter 279

Chapter 279 Menstrual Hygiene Products Access Ordinance

Section 1: **PURPOSE**

To improve gender equity in public toilet facilities by providing free menstrual hygiene products in restrooms servicing the general public in its public buildings.

--Motion made by Councilor Tillotson to receive and defeated. Councilor Tillotson stated took the recommendation of the Health Commission. Motion passed through all stages by a roll call vote of 11 yes, 1 no. Councilor McAuliffe voting no, Councilor Courchesne absent.

- 24 An Ordinance Committee report, adding to Chapter 260, Parking Regulations, Front Street - Between #661 and #687 Front Street, Parking Prohibited Between Signs.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Amend by Councilor Balakier to amend to add the hours 7-9 and 2-4. Councilor Tillotson stated there was a situation, met with Ben Strepka when Dupont lets out. Parking in front of the Parks and Rec building, restrict parking, hours 7-9 and 2-4 as the issue is mostly during school hours. Councilor Laflamme stated trailers have trouble getting into the parking lot. Councilor Walczak stated they wanted specific hours, parents block the entrance. Motion passed through all stages by a unanimous roll call vote. Motion made by Councilor Tillotson to receive, 2nd and final reading. Motion passed through all stages by a unanimous roll call vote.

- 25 An Ordinance Committee report, striking from Chapter 260, Parking Regulations, Beaudry Avenue - North side - From Montcalm Street to Memorial Drive, Parking Prohibited.

--Motion made by Councilor Tillotson to receive, 2nd and final reading enrolled and ordained, the ordinance stricken. Councilor Walczak stated fixing the parking. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- 26 An Ordinance Committee report, adding to Chapter 260, Parking Regulations, Beaudry Avenue - North side - Entire length, Parking Prohibited.

--Motion made by Councilor Tillotson to receive, 2nd and final reading, enrolled and ordained. Councilor Walczak stated consistent parking regulations, help the neighborhood. Motion passed through all stages by a unanimous roll call vote. Councilor Courchesne absent.

- 27 An Ordinance Committee report, ORDERED THAT Councilor Dobosz have authorization to retrieve a list of vehicles that go home with city employees from each department head.

--Motion made by Councilor Tillotson to receive and placed on file. Councilor Tillotson stated conversation as to who should be taking home vehicles. Ordinance book should correlate to get this worked out. Councilor Dobosz stated this will likely go into the next year. This is an employee benefit in a way. Motion passed. Councilor Courchesne absent.

- 28 A NEW Special Permit under Section 275-58(c)(6) and 275-52(B)(10) of the Municipal Zoning Ordinance for the purpose of small scale production facility on Bus A property, parking facilities on Residential A property. Location: 368 Chicopee Street. Applied for by: Gregory and Tracy Janik, 2 Belmont Avenue, South Hadley, MA 01075.

--Motion made by Councilor Brooks to receive and refer to the Zoning Committee. Councilor Brooks stated will take up in committee. Motion passed, referred. Councilor Courchesne absent.

29-46 Class 2 License Renewals for 2020

Al Lafleur Inc. d/b/a East Main Street Auto	467 East Main Street
Alansari Auto Sales & Repair, LLC	926,928 & 930 Front Street
Auto Techniques, Inc.	1424 Granby Road
Baskin's, Inc.	118 Lorraine Street
Broadway Auto Shop, Inc.	376 Broadway
C & H Auto Sales Inc. d/b/a Champion Auto Deals	415 East Street
Chicopee Motor Sales, Inc.	184 Center Street
Chicopee Tire & Auto Service, Inc.	Corner of Chicopee & Meadow Street
D & B Auto Sales and Service, LLC	395 Broadway
Daniel's Truck Center	18 Montcalm Street
Interstate Towing, Inc.	1660 Westover Road
M.A.R. Auto Service, Inc.	31 Prospect Street
Penske Truck Leasing, Inc.	30 Fuller Road
Rockrimmon Auto Parts and Recycling, Inc.	551 Center Street
Royal Coach Sales, LLC	576 East Street
Tellier's Auto Sales, Inc. d/b/a Tellier's Auto Body	386 Meadow Street
Tryba Auto Sales	832 Meadow Street
Unique Motors, Inc.	1021 Memorial Drive

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed. Councilor Courchesne absent.

47-50 Class 3 License Renewal for 2020

Center Street Auto Parts of Chicopee, Inc.	651 Center Street
Fairview Auto Salvage, Inc.	781 Ludlow Road
Rockrimmon Auto Parts and Recycling, Inc.	551 Center Street
Willimansett Waste Co., Inc.	239 Narragansett Blvd.

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed. Councilor Courchesne absent.

51 Auto Body License Renewals for 2020

Tellier's Auto Body, Inc.

386 Meadow Street

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed.
Councilor Courchesne absent.

52-53 Auto Detail License Renewals for 2020

Alansari Auto Sales & Repair, LLC

926 Front Street

D & B Auto Sales and Service, LLC

395 Broadway

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed.
Councilor Courchesne absent.

54-68 Auto Repair License Renewals for 2020

A.B.M. Transmission & Engine Technology

1090 Chicopee Street

Al Lafleur Inc. d/b/a East Main Street Auto

467 East Main Street

Alansari Auto Sales & Repair, LLC

926, 928 & 930 Front Street

Auto Techniques, Inc.

1424 Granby Road

Broadway Auto Shop, Inc.

376 Broadway

Chicopee Tire & Auto Service, Inc.

Corner Chicopee & Meadow Street

D & B Auto Sales and Service, LLC

395 Broadway

Daniel's Truck Center

18 Montcalm Street

E & G Automotive

159 Granby Road

Engine Light Auto Repair

922 Front Street

Euro Glass & Frame Automotive

164 Chicopee Street

M.A.R. Auto Service, Inc.

31 Prospect Street

Tryba Auto Sales

832 Meadow Street

Used Tire Maxx, LLC

519 Front Street

Yankee Glass, Inc.

450 New Ludlow Road

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed.
Councilor Courchesne absent.

69-70 Auto Body/Auto Repair License Renewals for 2020

BJ's Cycle Service

191 East Street

Ernie's Automotive

18 Old James Street

--Motion made by Councilor Walczak to receive and granted with restrictions. Motion passed.
Councilor Courchesne absent.

71 A petition from Columbia Gas of Massachusetts (CMA), hereby requests that it be granted a location and permission to install and maintain a telemetry cabinet on Carew Street, near the intersection of East Street, with such sense lines and electric conduits as it may now or subsequently find necessary.

Installation of this telemetry cabinet will allow CMA to remotely monitor the gas distribution system and relay abnormal operating conditions to its Gas Control Center. Should an abnormal condition be identified, Gas Control personnel can dispatch technicians to investigate and remediate the situation.

Said installation will be installed in accordance with the plans enclosed.

--Motion made by Councilor Labrie to receive and refer to the Utilities Committee. Councilor Labrie stated will take up in committee. Motion passed, referred. Councilor Courchesne absent.

ATTEST:

A handwritten signature in black ink, appearing to read "K. W. Rattell", with a stylized flourish at the end.

KEITH W RATTPELL
CITY CLERK